

January 8, 1986

situation and addressing what may happen in the future. I think if you look at the different items in the code you will see that the items in the code around the nation from time to time have been items that have been abused. We are humans like all other humans. We...there is going to be a certain element of us who are not altogether moral, a certain element of us who make mistakes. To be suggesting the code to you now has no logical connection with suggesting that this body is presently venal in any sort of way. Secondly, and I continue to try to emphasize it again and again, there is a difference between reality and impropriety and the appearance of impropriety. And I hear you say, oh, we shouldn't be concerned about the appearances of impropriety if they're really not there, but if the appearance of impropriety creates in the minds of the citizens an impropriety, whether it's based on a real assumption or not, if that is created in the mind of a citizen, it is real and it is something that we should be concerned with because if they have those real feelings, it affects our ability to lead and our ability to make a difference in our ability to convince them that what we're doing in terms of public policy is good for them. We must be credible. We must be credible. Now some have complained about the enforcement mechanism. What were my choices? I could have come to you and said there will be no enforcement mechanism and then they would have got up and laughed about the fact that Senator Beutler was proposing a code with no enforcement mechanism, how serious is he? I could have proposed an enforcement mechanism that was outside of this body. Would you have liked that better? It seems to me that what made sense was to propose an enforcement mechanism that was within the body. Now, when we get to that provision, if you don't like the specific mechanism, I'm flexible on that. We can change it. If you want to make the whole legislative body the one that approves the rules and regulations that are designed by the Rules Committee, we can do that. That would be fair and reasonable in my opinion, if you want to take the time on the floor of the Legislature to approve all of that. That makes sense. Then we're all involved in the rules and regulations that will be the enforcement mechanism of this particular code. But to suggest, I think, that having note, that having a code will make no difference, I don't think that really reflects reality. I don't think that really reflects what you believe. Would you suggest, for example, that since the criminal code doesn't clean up crime completely that we